



Office of the Inspector General

David R. Shaw, Inspector General

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The California Department of Corrections and Rehabilitation Continued to Employ a Convicted Felon

SACRAMENTO— Inspector General David R. Shaw released a special report today detailing the continued employment of a convicted felon by the California Department of Corrections and Rehabilitation (CDCR).

A correctional officer employed at a northern California adult institution by CDCR injured three persons in a hit-and-run collision while driving under the influence of alcohol and was convicted of two felonies. Just days after the conviction, the institution's warden granted the officer's request for a voluntary demotion to the position of lead groundskeeper with direct supervision over inmates. The warden approved this voluntary demotion despite the department's policy to terminate an employee convicted of a felony. In addition, the warden allowed the officer to use leave credits to serve a 30-day jail sentence.

"The warden's actions in allowing the officer to remain employed while incarcerated and then return to work supervising inmates while on active felony probation compromised the safety and security of the institution and did not serve the long-term interests of CDCR or the state," said Inspector General Shaw. "Furthermore, the department's problems were compounded when the staff attorney assigned to this case failed to provide timely legal advice to the warden."

When the Office of the Inspector General's Bureau of Independent Review became aware of the situation, the Bureau questioned the appropriateness of granting the officer's voluntary demotion. "This case demonstrates the importance of *Madrid* reforms because favoritism undermines an equitable disciplinary process. Moreover, the warden's actions flagrantly disregarded the higher standard of conduct to which all peace officers are held as specified in the Law Enforcement Code of Ethics," Inspector General Shaw continued. "Thanks to diligent monitoring by the Bureau of Independent Review, this case was corrected before the department committed irreversible errors."

The entire special report may be viewed and downloaded from the Office of the Inspector General's Web site at <http://www.oig.ca.gov/>.

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